



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MRS. THERESA A. LOGAN

Plaintiff,

v.

TOWN OF WINDSOR, NEW YORK /

NEW YORK MUNICIPAL RECIPROCAL
INSURANCE COMPANY,

ROBERT BRINKS, SNOWPLOW TRUCK DRIVER
GREGG STORY, WINGMAN FOR SNOWPLOW TRUCK BLADE

Defendants

Civil Action No. 319CV1590
~~(GTS/ML)~~ GTS/ML

Complaint
~~Motion for Rehearing~~

APPEARANCES:

OF COUNSEL:

FOR PLAINTIFF:

FOR DEFENDANTS:

MRS. THERESA A. LOGAN, PRO SE
50 Williams Road
Windsor, New York 13865
607-655-1853

ATTORNEY JAMES P O'BRIEN
COUGHLIN & GERHART LLP
P O BOX 2039 BINGHAMTON,
NEW YORK, 13902-2039

BODY

I. Plaintiff states, “the Federal District Court has Jurisdiction over plaintiffs claim for several reasons“. The number 1 reason is, Plaintiff is a resident of Broome County. Also the “Vehicle & Traffic Law for New York State s1103 (b)”, is when the Conduct of the Snowplow Operators is judged to be, Drunk Driving while plowing a road or, “RECKLESS DISREGARD”. “RECKLESS DISREGARD”, Is a, “Deliberate Decision To Ignore A Likely Harm”.

II. Hence, plaintiffs rights occurred within the boundaries of the District of Broome County, were she’s resided for the last 12 years, in the Town of Windsor, New York. Less than 20 miles from Binghamton, New York. The Federal Court, Unbeknown to plaintiff at that time. Plaintiffs attorney also dismissed from her case at a discovery hearing when she was forced to take over her case pro se., in May 15, 2015 Plaintiff was seeking representation from over 20 attorneys, but to no avail. Page-A. Plaintiff Submitting complaints/Briefs, twice to each of the following Courts, Supreme Court Binghamton, N.Y., Appeals Appellate Court, Albany N.Y. Court of Appeals, Albany N.Y. Appeals Court New York

City and the Supreme Court of the United State in Washington D.C., with the last two Courts, claim Denied, even after being granted IFP given to the plaintiff by Majistrate Justice Peebles and Justice Suddaby, Page-B. Plaintiff was told by both of the last 2 courts “they don’t except IFP. Plaintiffs claims were both denied Pages C and D. A friend, told plaintiff about Federal Court. Plaintiff states “the respect and concern she’s received is phenomenal!” This is also why the plaintiff feels the Federal Court is the proper Venue.

PARTIES TO THE ACTION

I. Plaintiff spoke with town supervisor, at that time, Randy Williams and 3 other gentlemen from the towns committee at a 4:00pm meeting at the town hall. Regarding the Complaint against the Town of Windsor, located at 124 Main Street Windsor, New York 13865. Pages E and F

II. Mr. Persaud, the insurance Adjuster, for The Towns Insurance Company, New York Municipal Insurance Reciprocal, Insurance Company. 333 Earle Ovington, Boulevard Suite 505 Uniondale New York 11553-3624, Plaintiff spoke with Mr. Persaud, the insurance Adjuster on 2 occasions.

III. Mr. Robert Brinks, Driver of approximately 50-70 thousand pound/ 20 ton snowplow truck loaded with rocksalt. Employed by Town of Windsor. Plaintiff does not have access to defendants address. Their Attorney James P. O'Brien does at Coughlin & Gerhart LLP Attorneys and Counselors P.O. Box 2039 Binghamton, NY 13902-2039.

IV. Mr. Gregg Story, snowplow truck wingman, operating 3 foot by 12 foot steel snowplow truck blades (approximately). Employed by the Town of Windsor. Plaintiff does not have access to defendants address. their Attorney James P. O'Brien, Coughlin & Gerhart LLP Attorneys and Counselors P.O. Box 2039 Binghamton, NY 13902-2039.

FACTS TO SUPPORT PLAINTIFFS CLAIM

I. Plaintiff states, “on the night before the day in question, there had been a severe winter snowstorm. Leaving about 12-16 inches of snow“. Not 4 inches as stated by the defendantsPg.G-H. The plaintiff was parked on her property, in front of her driveway, next to Williams Road. Not “parked in the Road” as stated by the defendants. At approximately 6:00 am, not 7:00am as stated by the defendants, plaintiff left her home walking up her driveway to her car, headed for work, like she’d done hundreds of time before.

II. Plaintiff was clearing snow off her car from the snow storm from the previous day. Plaintiff heard the sound of the snowplow truck, plaintiff looked up, to see the truck traveling past her, on the opposite side of Williams Road at a “Fast rate of Speed“, when the Towns speed limit is posted at 30 MPH. Mr. Robert Brinks snowplow truck driver made eye contact with plaintiff, as he drove past her.

III. Plaintiff was just about finished clearing the snow from her car and ready to leave when suddenly she looked up again only to see the truck, Driven by Mr. Robert Brinks, Blade down, Operated by Mr. Gregg Story, driving at a high rate of speed and driving straight towards plaintiff.

Defendant Robert Brinks, Driver of the 50-70,000 pound/20ton Truck, “No

Flashing Lights“. Page-I

IV. Defendant Gregg Story, Wingman, in charge of the 3 foot by 12 foot (approximately) Snowplow Blade in the Down Position, pushing, snow, rock salt and gravel down Williams Road at a fast rate of speed. As plaintiff turned her back to the road, so as not to get hit in the face, unfortunately her body, from neck to mid thighs was plummeted with snow, rocksalt and gravel.

V. Both Defendants hopefully in knowledge of ‘State and Federal Law 1103-1105“ Vehicle and Traffic, Title 7 states, “rules of the road”. State “reckless and disregard for the safety of pedestrians, traffic law 1103 B. Also Article 23, 1100-1105 “obedience too and effect of traffic laws, by not treating “city streets or town roads” as though they were plowing on the Highway, where they are bound to see families, pedestrians, including school buses, children, leaving their homes and accessing the streets to get to their destinations during the day. Defendants not driving, the speed limit of 30 miles per hour as the Signs on the roads in the Town of Windsor clearly shows. However, Both defendants operating the snowplow truck as if they are removing snow as they do on the Highway.

VI. In plaintiff's opinion, both defendants purposely put plaintiff in imminent danger which has caused plaintiff, permanent emotional, mental and physical damage, now and in the future.

VII. Both defendants, Violating Federal Law 1103, by driving as though defendants were clearing snow on a "Highway Road" as opposed to driving and clearing off snow from "City Streets and Town Roads".

XIII. However, Town of Windsor Insurance company has paid for plaintiff's, Cervical Fusion in March 2014, on the right side of plaintiff's neck, leaving a 2.5 inch scar, causing range of movement to plaintiff's neck to be minimal and extremely painful.

IX. Also, 2 months later, surgery on plaintiff's lower back May 2014, leaving a 6.5 inch scar where plaintiff's muscle in her lower back has now Atrophy (stiffened) because the Town of Windsor's "No Fault", Insurance company has refused to pay for physical therapy for the last 5 years since plaintiff's surgery. Page-J

X. Plaintiff can't afford to pay for therapy and has been in chronic pain and discomfort daily. Plaintiff has tried to do physical therapy at home, still using her back brace for stability and using her cane for balance. However, plaintiff truly needs to see a physical therapist for therapy.

XII. Plaintiff has also suffered from the side effects of the medicine cymbalta, causing long and short term memory loss. In 2014 Plaintiff was rushed to Lourdes Hospital where she spent 8 days due to severe confusion, pain and side effects from the medicine. Lourdes Hospital Bill for that week was \$13,00.00 dollars. The bill was paid in full for by the Our Lady of Lourdes Hospital, in Binghamton, New York.

STATEMENT OF RELIEF SOUGHT

I. Plaintiff, was forced to resign from her job as a Certified Surgical Technologist after over 40 years in the medical field, with 20 of those years working in the Operating Room. Plaintiff had worked only 5 years at our Lady of Lourdes Hospital, in Binghamton, New York. Feb 6, 2013 plaintiff was forced to resign from the job she loved so much.

II Plaintiffs annual income was \$33,446.40 dollars not including overtime or being on-call. Plaintiff has all but depleted her retirement saving with Fidelity Investments 401K. Plaintiff, out of pocket, to date, with some of her medical bill total, \$1,316.04. Remaining medical bills, total \$9,441.34. Plaintiff has been paying \$25.00 a month in order to keep bills from being sent to collections.

III. Even though Plaintiffs original lawsuit submitted by her former attorney was set at \$209,000.00 dollars, Plaintiff has been more than willing to negotiate and mediate for a lower amount, as she has tried to do, with no response from defendants attorney or the towns insurance adjuster. Plaintiff is asking for the Courts decision on what they feel is a fare amount.?

IV. Plaintiff is asking for Pain and Suffering, Negligence on the drivers and wingman side for Tort and Negligence in the operation of a snow plow truck, loss of employment, lost of wages.

VI. Plaintiff also needs to state, "Defamation of Character", from the defendants own attorney, James P. O'Brien, submitted in court documents. Stating "plaintiff has bone degeneration, arthritis, and other pre-existing medical issues". He also stated that "plaintiff only resided at her home for 6 months".

VII. Plaintiff has not been diagnosed nor does she have any of the symptoms, stated by attorney O'Brien. Also plaintiff had been living at her residence for 3.5 years.

Sincerely and Respectfully,

Theresa A. Logan

Mrs. Theresa A. Logan Pro Se
50 Williams Road
Windsor, New York 13865
607-655-1853

Before me, personally appeared
Theresa Ann Logan
Sworn to before me this 20th
of December 2019, 2019

Jean M. Wahl

Jean M. Wahl
Notary Public, State of New York
Qualified in Broome County
No. 01WA4816119
Commission Expires July 31, 2022


WEREFORÉ, petitioner demands judgement against the defendants as follows: A judgement to resolve the motion for rehearing against, The Town of Windsor, New York, New York Municipal Reciprocal Insurance Company, Robert Brinks and Gregg Story, and all future issues in regard to this case shall be referred to this Court.


Mrs. Theresa A. Logan Pro Se

State of New York, County of Broome:

Mrs. Theresa A. Logan, being duly sworn, says: I am the Petitioner in the within action for a motion for rehearing, I have read the forgoing complaint And know the contents are true to my own knowledge except as to matters therein stated to be alleged upon information and belief.

Sworn to before me on: 12/20/2019

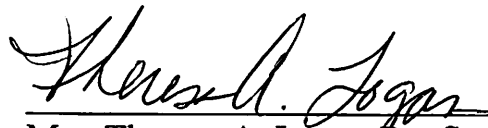

Mrs. Theresa A. Logan Pro Se

CERTIFICATION BY PETITIONER

STATE OF NEW YORK, COUNTY OF BROOME

I, the undersign Petitioner, Theresa A Logan, Pro Se, on my behalf the above paper is submitted. I HEREBY CERTIFY TO THE COURT UNDER PENALTIES OF PERJURY THAT I have no knowledge that the substance of the submission therein is false.

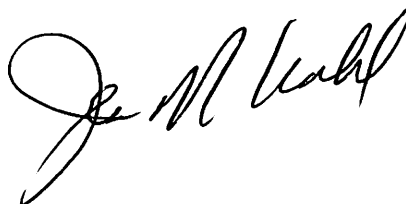
Dated: 12/20/2019


Mrs. Theresa A. Logan Pro Se

Before me, personally appeared

Theresa Ann Logan and
Sworn to before me this 20 day
of December, 20 19

10



Jean M. Wahl
Notary Public, State of New York
Qualified in Broome County
No. 01WA4816119
Commission Expires July 31, 2022

"Attorneys I spoke with and their phone numbers..."

1. Rochell Inger (Spring Valley NY)
2. Joe Stanley (Binghamton, NY)
3. Alexander & Catalano
4. Lochman & Gordon
5. Cellio & Barnes
6. Finkelstein & Partners 855-207-3030
7. Hinman, Howard & Kattell
8. Schimmerling (New York City)
9. Mrs. Westlake (Syracuse NY) Defrancino 315-479-9000
10. Barista 607-724-8529
11. Jim Reed (Elmira NY) 607-733-8866
12. David Gross 607-746-2193
13. Kenny & Kenny (Syracuse NY) 315-471-0524
14. Meagher & Meagher 570-278-3660
15. John Hochfelder 607-231-9775 Referred by Wayne Chariff
16. Tom Shiverling 607-231-9775
17. Blacklawyers.com
18. Remy Perot (referred by Assistant D-A Karin)
19. Attorney Mihalkovic (Endicott, NY) 607-754-0500
20. Frank O'Connor 570-879-2534 referred by Kim Hall

21. *Also spoke with Cindy Gary Broome County...

22. DEFRANCISCO & FALGIATANO LAW FIRM

23. THE COCHRAN FIRM

24. C-JUDGE, BAUM HEDLUND LAW

25. BAUM HEDLUND

26. PETER CATALANO -

12-17-19

PAGE-A

19-143 Logan v. Town of Windsor/New York Munic

General Docket
Court of Appeals, 2nd Circuit

Court of Appeals Docket #: 19-143 Nature of Suit: 3360 TORTS INJURY-Other Personal Logan v. Town of Windsor/New York Munic Appeal From: NDNY (SYRACUSE) Fee Status: IFP Granted		Docketed: 01/11/2019 Termed: 04/26/2019									
Case Type Information: 1) Civil 2) Private 3) -											
Originating Court Information: District: 0206-5 : <u>18-cv-593</u> Trial Judge: Glenn T. Suddaby, U.S. District Judge Trial Judge: David E. Peebles, U.S. Magistrate Judge Date Filed: 05/18/2018 <table style="width: 100%; border: none;"> <tr> <td style="width: 25%;">Date Order/Judgment:</td> <td style="width: 25%;">Date Order/Judgment EOD:</td> <td style="width: 25%;">Date NOA Filed:</td> <td style="width: 25%;">Date Rec'd COA:</td> </tr> <tr> <td>12/17/2018</td> <td>12/17/2018</td> <td>01/11/2019</td> <td>01/11/2019</td> </tr> </table>				Date Order/Judgment:	Date Order/Judgment EOD:	Date NOA Filed:	Date Rec'd COA:	12/17/2018	12/17/2018	01/11/2019	01/11/2019
Date Order/Judgment:	Date Order/Judgment EOD:	Date NOA Filed:	Date Rec'd COA:								
12/17/2018	12/17/2018	01/11/2019	01/11/2019								
Prior Cases: None											
Current Cases: None											
Panel Assignment: Not available											

PAGE - B

**Supreme Court of the United States
Office of the Clerk
Washington, DC 20543-0001**

Scott S. Harris
Clerk of the Court
(202) 479-3011

December 9, 2019

Ms. Theresa A. Logan
50 Williams Rd.
Windsor, NY 13865

Re: Theresa A. Logan
v. Town of Windsor, New York, et al.
No. 19-5156

Dear Ms. Logan:

The Court today entered the following order in the above-entitled case:

The petition for rehearing is denied.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott S. Harris", written in a cursive style.

Scott S. Harris, Clerk

Page - C

MANDATE

N.D.N.Y.
18-cv-593
Suddaby, C.J.
Peebles, M.J.

United States Court of Appeals FOR THE SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 26th day of April, two thousand nineteen.

Present:

Amalya L. Kearse,
Rosemary S. Pooler,
Richard C. Wesley,
Circuit Judges.

Theresa A. Logan, FKA Theresa A. Odejimi,

Plaintiff-Appellant,

v.

19-143


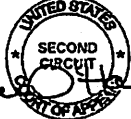
Town of Windsor, et al.,

Defendants-Appellees.

Appellant, pro se, moves for appointment of counsel. The Court also construes the motion to seek leave to proceed in forma pauperis. Upon due consideration, it is hereby ORDERED that the motion is DENIED and the appeal is DISMISSED because it "lacks an arguable basis either in law or in fact." *Neitzke v. Williams*, 490 U.S. 319, 325 (1989); *see also* 28 U.S.C. § 1915(e).

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit




MANDATE ISSUED ON 06/05/2019 PAGE - D

Main Identity

From: "Theresa" <csttao@dishmail.net>
 To: "SUSAN" <SMA1029@VERIZON.NET>
 Sent: Monday, March 28, 2011 4:35 PM
 Subject: Fw: snowplow (INCIDENT RE: THERESA A. ODEJIMI)

----- Original Message -----

From: Theresa
 To: Randy Williams
 Sent: Sunday, March 13, 2011 11:38 PM
 Subject: snowplow

Sent: Sunday, March 13, 2011 11:23 PM
 Subject: snowplow

★ March 14, 2011

Re: Theresa Odejimi and County Snow Plow Truck Incident

Dear Randy Williams/Gentlemen,

I am sending this letter in regards to our meeting held on Wednesday March 9, 2011 at approximately 3:45 p.m. at Windsor Town Court Hall.

As I stated that day, to Mr. Williams and 3 other gentleman that attended the meeting, I was clearing snow from my car (Monday morning March 7, 2011)

that was parked on the roadside in front of my property at 50 Williams Road Windsor, New York 13865. At 6:15 a.m. (It was daylight) a large snow plow truck passed me

on the opposite side of the road accross from me, I stopped shoveling for a moment and looked up, I saw the driver and I know he saw me. I then continued to shovel

so as to clear the snow from my car and head off to my current job at Lourdes Hospital in Binghamton, N.Y. After 15 minutes (about 6:30 a.m.) I again heard and saw the snow plow truck

and looked up to see the truck head towards me. I didn't have but a few seconds to think "what should I do next"...as the truck was coming at an incredible fast rate of speed!

At first I thought for sure that the driver would possibly bear to the left so as not to "bury me" and my car in the snow.

Then I thought as fast as he is coming towards me perhaps I should get in my car for safety reasons, however, had I

of gotten into my car the only way I would of been able to get out would of been to climb out of my car window. At this point I became very frightened! The truck was coming very fast.... I went

around to the front of my car near the headlights, I turned my back toward the road facing my property (so as not to get hit in the face and to protect my eyes) in hope

the driver would have some compassion and veer to the left so as not to throw snow, gravel and rock salt on me.

Page-E

8/15/2013
 PRINTED

The driver came at me "full force" possibly 45-50 mph (if not faster).

The impact of the snow, rock salt and gravel hit me in the back of my head, neck, back and lower torso. It hit me at such a fast speed/rate I had snow, gravel and salt in my pockets. I stood there for

a minute or so in shock at what had just transpired. In total disbelief that this individual had absolutely no compassion for "human life". I said a prayer for myself and the driver. I shook the snow, gravel

and salt off myself and removed the snow, gravel and salt from my pockets. Once again I began to shovel the snow from around my car. Again, I heard the snow plow truck approaching on the opposite

side of the road, yet again, maybe 15 or so minutes later. I stopped shoveling and looked up at the driver and another man sitting next to him in the truck. I reached out my hand and pointed my finger

up to him. The driver waved at me and began to laugh. Once again, I was shocked at his behavior. All I could think of was I just want to get myself and my car out of there before he returned.

I finally got enough snow removed and I drove off to work. I am supposed to be at work by 7a.m., however I didn't arrive until 8:45a.m. I drove to work in a nervous shakey state of mind.

I worked Monday and Tuesday feeling a lot of discomfort in my neck and lower back. (I told several of my co-workers, my mom, and my fiance what had happened that morning).

I did not sleep very well on either one of those nights and by Wednesday morning around 11 a.m. I told the charge nurse what had happened. She had me call my primary care doctor. I went to see him

immediately. Upon his examination he felt swollen muscles in my neck and lumbar area of my vertebrae. I filled a prescription for anti-inflammatory pills. X-rays have also been taken.

In conclusion, my concern for the safety of myself as well as the community of Windsor, N.Y. this matter should be investigated by caring and compassionate individuals. I would also like to add it would

be greatly appreciated if you would notify me of your findings.

Thank you for your time

Sincerely,

Theresa A. Odejimi

Since 1 July snowfall 105.1 65.4
 Snow Depth 0.00 in
 Sea Level Pressure
 Sea Level Pressure 30.01 in
 Wind
 Wind Speed 13 mph (NNW)
 Max Wind Speed 29 mph
 Max Gust Speed 38 mph
 Visibility 4 miles
 Events Fog, Snow

ATTORNEY GRUBER

T = Trace of Precipitation, MM = Missing Value Source: NWS Daily Summary

[Certify This Report](#)

[History Location](#)

[Trip Planner](#)

Search our historical database for the weather conditions in past years. The results will help you decide how hot, cold, wet, or windy it will be!

Date: MARCH 7, 2011

"DAY IN QUESTION"

Radar Archive



[View Animated Radar Loop](#)

This image may take a moment to generate.

Local Photos



[Empty](#)

Normally a rather busy road



[Over 18 inches so far](#)

And more coming. Look at the pile behind the cars.



[Covered](#)

Woke up at my normal time of 7:45am just to find out that all classes had been canceled => So, I went exploring around town



[Trees \(HDR\)](#)

The last of the series. Thank you all again for all the support, comments, and ratings =)



[March 7 2011 snow storm](#)

Huge snow drift behind my wifes car. Took all day to dig out to get it out of the driveway.



[March 7 2011 snow storm](#)

There was 3ft - 4ft snow drifts in my driveway after the march 7 snowstorm hit nystate.



[Heart](#)

The main drag through town



[snowed in in Ithaca NY](#)

We got a foot and a half last night March 7, 2011



[Backward \(HDR\)](#)

I have been looking at some of my photos lately and wondering just how I can make them "pop".



[Perched](#)

Thank you everyone for the comments and thanks for the AC/VIP => I got more photos coming! This one caught my eye at the last second...

[Visit WinterPhoto](#)

Astronomy

	Rise	Set
Actual Time	6:29 AM EST	6:00 PM EST
Civil Twilight	6:01 AM EST	6:28 PM EST
Nautical Twilight	5:29 AM EST	7:01 PM EST
Astronomical Twilight	4:56 AM EST	7:33 PM EST
Moon	7:14 AM EST (3/7)	9:04 PM EST (3/7)
Length Of Visible Light	12h 26m	
Length of Day	11h 30m	
Waxing Crescent, 7% of the Moon is Illuminated		
Mar 7	Mar 12	Mar 19 Mar 26 Apr 3
Waxing Crescent	First Quarter	Full Last Quarter New

[Visit Astronomy](#)

Hourly Observations

Time (EST)	Temp.	Windchill	Dew Point	Humidity	Pressure	Visibility	Wind Dir	Wind Speed	Gust Speed	Precip	Events	Conditions
12:51 AM	21.2 °F	3.9 °F	19.4 °F	93%	29.77	in 0.2 mi	North	26.5 mph	36.8 mph	0.02 in	Fog	Light Freezing Fog
12:53 AM	21.9 °F	5.1 °F	19.0 °F	89%	29.84	in 0.2 mi	North	25.3 mph	36.8 mph	0.02 in	Fog	Light Freezing Fog
1:27 AM	21.2 °F	4.5 °F	19.4 °F	93%	29.76	in 0.2 mi	North	24.2 mph	34.5 mph	0.03 in	Fog	Light Freezing Fog

Main Identity

From: "Theresa" <csttao@dishmail.net>
 To: "RON BENJAMIN" <RONBENJAMINLAW@STNY.RR.COM>
 Sent: Sunday, November 20, 2011 2:53 PM
 Subject: Fw: weather report 3-6-11

PLEASE NOTICE THE AMOUNT OF SNOW THAT FELL THAT DAY (7.70 INCHES), ALMOST 8 INCHES! WHEN I WENT OUTSIDE THAT MORNING THE SNOW WAS ALMOST UP TO THE HANDLE ON MY CAR DOOR. ONCE AGAIN THAT DOES NOT INCLUDE THE SNOW THAT WAS ALREADY ON THE GROUND BEFORE THE SNOWPLOW TRUCK PLOWED THE MORNING OF MARCH 7, 2011. FROM MEMORY I ESTIMATE ABOUT 1 1/2 FEET POSSIBLY MORE. PLEASE CHECK OUT THE PHOTOS BELOW ALSO!

THANKS,

THERESA A. ODEJIMI
 Subject: weather report 3-6-11

★ Sunday, March 6, 2011 - [View Current Conditions](#)

Sunday, March 6, 2011

« [Previous Day](#) [Next Day](#) »

[Daily](#) [Weekly](#) [Monthly](#) [Custom](#)

	<u>Actual</u>	<u>Average</u>	<u>Record</u>
Temperature			
Mean Temperature	36 °F	29 °F	
Max Temperature	48 °F	37 °F	60 °F (2009)
Min Temperature	23 °F	21 °F	-2 °F (2007)
Degree Days			
Heating Degree Days	29	36	
Month to date heating degree days	219	221	
Since 1 July heating degree days	5475	5462	
Cooling Degree Days	0	0	
Month to date cooling degree days	0	0	
Year to date cooling degree days	0	0	
Moisture			
Dew Point	31 °F		
Average Humidity	90		
Maximum Humidity	100		
Minimum Humidity	80		
Precipitation			
Precipitation	1.25 in	0.09 in	1.25 in (2011)
Month to date precipitation	1.25	0.54	
Year to date precipitation	7.88	5.58	
<u>Snow</u>			
<u>Snow</u>	7.70 in	0.50 in	6.80 in (1999)
Month to date snowfall	7.0	3.0	
Since 1 July snowfall	96.9	64.9	
Snow Depth	1.00 in		
Sea Level Pressure			
Sea Level Pressure	29.92 in		
Wind			
Wind Speed	16 mph (NNW)		
Max Wind Speed	28 mph		
Max Gust Speed	40 mph		
Visibility	2 miles		
Events	Fog , Rain , Snow		

T = Trace of Precipitation, MM = Missing Value Source: NWS Daily Summary

page 3 H

8/15/2013

"NO FLASHING LIGHTS" ... ON SNOWPLOW TRUCK
MR. BRINKS AND MR. STORY STATE OTHERWISE
THAT THE LIGHTS.



NEWYORKNEUROSURGICAL, PLLC

STEVEN K. JACOBS, M.D., Ph.D.

4 Lafayette Court

Fishkill, NY 12524

Tel. (845) 896-9200

Fax (845) 896-3262

June 1, 2016

Re: Theresa Logan

To Whom It May Concern:

Theresa Logan is a patient under my care. She was involved in a serious accident involving snow gravel coming off of a truck on March 7, 2011.

As a result of this accident the patient incurred a herniated disc at C3-4 and C5-6. She underwent an anterior cervical discectomy and fusion at C3-4 and C5-6 performed by me on March 12, 2014. In addition, as a result this accident she developed lumbar stenosis and underwent lumbar spine decompression performed by me at L4-5 and L5-S1. This surgery was performed on May 28, 2014.

It has come to my attention that the patient has been told that the cervical spine injury was pre-existing and related to pre-existing degenerative disease. This is not the case. I am not aware of any diagnostic study, i.e., an MRI of the cervical spine or CT scan of the cervical spine indicating that the patient had a herniated disc at the C3-4 level or C5-6 level prior to the accident in March of 2011. I believe that the herniated discs that were removed at the time of surgery were a direct result of the accident occurred on March 7, 2011.

Similarly, I am not aware of any diagnostic study i.e., an MRI of the lumbar spine or a CT scan of the lumbar spine indicating the patient had lumbar stenosis prior to the accident in March of 2011. The patient had an x-ray of the lumbar spine performed in March of 2008 which demonstrated degenerative disease. A simple x-ray of the lumbar spine is not a study that can indicate the presence or absence of stenosis which the patient clearly did have on an MRI study following the accident in 2011. I believe that the lumbar spine decompression was necessitated by the accident that occurred in March of 2011.

Sincerely,



Electronically signed by Steven K. Jacobs, M.D., Ph.D. on 06/01/2016 at 2:43 pm

Steven K. Jacobs, M.D., Ph.D.